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*Attorneys for Defendants* HEALTH NET, INC.; HEALTH NET OF CALIFORNIA, INC.; HEALTH NET LIFE INSURANCE COMPANY; HEALTH NET HEALTH PLAN OF OREGON, INC.; HEALTH NET OF ARIZONA, INC.; CENTENE CORPORATION; BLUE SHIELD OF CALIFORNIA LIFE & HEALTH INSURANCE COMPANY; CALIFORNIA PHYSICIANS' SERVICE DBA BLUE SHIELD OF CALIFORNIA; CELTIC INSURANCE COMPANY; *and* NIPPON LIFE INSURANCE COMPANY OF AMERICA

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA, SOUTHERN DIVISION

ABC SERVICES GROUP, INC., a Delaware corporation, in its capacity as assignee for the benefit of creditors of MORNINGSIDERECOVERY, LLC, a California limited liability company,

Plaintiff,

v.

HEALTH NET OF CALIFORNIA, INC.; HEALTH NET LIFE INSURANCE COMPANY; HEALTH NET, INC.; CENTENE CORPORATION; and DOES 1 through 20, Inclusive,

Defendants.

Lead Case No. 8:19-cv-00243-DOC-DFM and other Consolidated Cases identified in Plaintiff's Response to the Court's November 27, 2019 Minute Order [ECF No. 150]

Hon. David O. Carter

**STIPULATION AND [PROPOSED] ORDER REGARDING THE CONSOLIDATED MOTION TO DISMISS HEARING AND THE PROCEEDING WITH THE SPECIAL MASTER**

1 The defendants in the Lead Case and Case Nos. 1, 2, 3, 4, 6, 7, 8, 9, 10, 11,  
2 12, 13, 16, 17, 18, 19, 21, 24, 27, 28, 29, 31, 34, 35, 38, 40, 41, 43, 46, 47, 48, 49,  
3 55, 56, 57, 59, and 61 (“Defendants”) identified in ECF No. 150 and Plaintiff ABC  
4 Services Group, Inc. (“ABC”) hereby stipulate as follows.

5 **STIPULATION**

6 WHEREAS, Defendants filed a consolidated motion to dismiss (“Motion”)  
7 that is set for hearing on March 16, 2020 at 8:30 a.m.

8 WHEREAS, Defendants and ABC agree to have the Motion taken under  
9 submission subject to the following concern raised by ABC:

10 Due to the rapidly approaching dates already set in this case,  
11 ABC’s first choice would be an in-person hearing for March 16,  
12 2020. However, ABC is sensitive to the current travel  
13 restrictions imposed at the time of this Stipulation, as well as  
14 those which may be imposed between now and March 16,  
15 2020. ABC has no objection to the participation by any party  
16 through means other than in-person.

17 WHEREAS, Defendants and ABC agree, if necessary, to provide the Court  
18 with any requested supplemental briefing related to the Motion.

19 WHEREAS, the Court ordered Defendants and ABC to meet with the Special  
20 Master on March 16, 2020 at 8:00 a.m.

21 WHEREAS, in light of current and possible additional travel restrictions, and  
22 with the same concerns raised above by ABC, Defendants and ABC request that the  
23 Court allow the parties to participate in a telephonic conference with the Special  
24 Master to discuss outstanding discovery issues when convenient for the Special  
25 Master.

26 NOW, THEREFORE, the parties, by and through their undersigned counsel  
27 of record, and subject to the reservations raised by ABC above, hereby stipulate as  
28 follows:

1 1. Defendants and ABC agree to have the Motion taken under submission  
2 by the Court.

3 2. Defendants and ABC agree, if necessary, to provide the Court with any  
4 requested supplemental briefing related to the Motion.

5 3. In light of current and possible additional travel restrictions,  
6 Defendants and ABC request that the Court allow the parties to participate in a  
7 telephonic conference with the Special Master to discuss outstanding discovery  
8 issues whenever convenient for the Special Master.

9 **IT IS SO STIPULATED.**

10 Dated: March 12, 2020

MANATT, PHELPS & PHILLIPS, LLP

11  
12 By: /s/ Ileana M. Hernandez

Gregory N. Pimstone

John M. LeBlanc

Ileana M. Hernandez

Samuel A. Canales

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15 *Attorneys for Defendants* HEALTH NET,  
16 INC.; HEALTH NET OF CALIFORNIA,  
17 INC.; HEALTH NET LIFE INSURANCE  
18 COMPANY; HEALTH NET HEALTH  
19 PLAN OF OREGON, INC.; HEALTH NET  
20 OF ARIZONA, INC.; CENTENE  
21 CORPORATION; BLUE SHIELD OF  
22 CALIFORNIA LIFE & HEALTH  
23 INSURANCE COMPANY; CALIFORNIA  
24 PHYSICIANS' SERVICE DBA BLUE  
25 SHIELD OF CALIFORNIA; CELTIC  
26 INSURANCE COMPANY; and NIPPON  
27 LIFE INSURANCE COMPANY OF  
28 AMERICA

Dated: March 12, 2020

GARNER HEALTH LAW  
CORPORATION

By: /s/ Craig B. Garner

Craig B. Garner

*Attorneys for Plaintiff* ABC  
SERVICES GROUP, INC.

1 Dated: March 13, 2020

FRANTZ WARD, LLP  
ALVARADOSMITH  
A Professional Corporation

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4 By: /s/ S.Christopher Yoo  
S. Christopher Yoo  
Jacob M. Clark  
Attorneys for Defendants MEDICAL  
5 MUTUAL OF OHIO; MEDICAL  
6 MUTUAL SERVICES, LLC;  
7 MEDMUTUAL LIFE INSURANCE  
8 COMPANY; and MEDICAL HEALTH  
INSURING CORPORATION OF OHIO

9  
10 Dated: March 13, 2020

COOLEY LLP

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12 By: /s/ Mazda K. Anita  
Mazda K. Anita  
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14 Attorneys for Defendants CIGNA  
HEALTHCARE OF CALIFORNIA, INC.;  
15 CIGNA BEHAVIORAL HEALTH OF  
CALIFORNIA, INC.; and CIGNA  
16 HEALTH AND LIFE INSURANCE  
COMPANY

17  
18  
19 Dated: March 13, 2020

TROUTMAN SANDERS LLP

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21 By: /s/ Steven D. Allison  
Steven D. Allison  
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23 Virginia Bell Flynn  
Attorneys for Defendants ANTHEM BLUE  
24 CROSS LIFE AND HEALTH  
INSURANCE COMPANY;  
25 ANTHEM, INC.; and ANTHEM, INC.  
DBA ANTHEM HEALTH, INC.

1 Dated: March 13, 2020

CALVO, FISHER & JACOB, LLP

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3 By: /s/ Rodney J. Jacob  
4 Rodney J. Jacob  
5 *Attorneys for Defendant* HMC  
6 HEALTHWORKS, INC.

7 Dated: March 13, 2020

VON BEHREN & HUNTER LLP

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9 By: /s/ Carol B. Lewis  
10 William E. von Behren  
11 Carol B. Lewis  
12 *Attorneys for Defendant*  
13 CONNECTICARE, INC.

14 Dated: March 13, 2020

MURCHISON & CUMMING, LLP

15 By: /s/ William D. Naeve  
16 William D. Naeve  
17 *Attorneys for Defendant* COMMON  
18 GROUND HEALTHCARE  
19 COOPERATIVE

20 Dated: March 13, 2020

LEWIS BRISBOIS BISGAARD & SMITH

21 By: /s/ Joseph C. Campo  
22 Joseph C. Campo  
23 *Attorneys for Defendant* PACIFICSOURCE  
24 HEALTH PLANS  
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27  
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1 Dated: March 13, 2020

LATHROP GPM, LLP

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3 By: /s/ Gregory R. Merz

Gregory R. Merz

Amy Erickson

Alexandra Roje

4 Attorneys for Defendant GROUP HEALTH  
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6  
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8 Dated: March 13, 2020

CROWELL & MORING LLP

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12 HEALTHCARE SERVICES, INC.;  
13 UNITED BEHAVIORAL HEALTH;  
14 OPTUM SERVICES, INC.; UNITED  
15 MEDICAL RESOURCES, INC.; SIERRA  
16 HEALTH AND LIFE INSURANCE  
17 COMPANY; and GOLDEN RULE  
18 INSURANCE COMPANY

19 Dated: March 13, 2020

KARR TUTTLE CAMPBELL

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21 By: /s/ J. Dino Vasquez

J. Dino Vasquez

22 Attorneys for Defendants PROVIDENCE  
23 HEALTH PLAN; PROVIDENCE HEALTH  
24 & SERVICES; and PROVIDENCE  
25 HEALTH ASSURANCE  
26  
27  
28

1 Dated: March 13, 2020

FOLEY & LARDNER LLP

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3 By: /s/ Michael A. Naranjo

Michael A. Naranjo

4 Kimberly A. Klinsport

5 Jason Y. Wu

*Attorneys for Defendants* USABLE

MUTUAL INSURANCE COMPANY

6 D/B/A ARKANSAS BLUE CROSS AND

7 BLUE SHIELD AND BLUEADVANTAGE

ADMINISTRATORS OF ARKANSAS;

8 BLUE CROSS AND BLUE SHIELD OF

KANSAS, INC.; *and* BLUE CROSS &

9 BLUE SHIELD OF MISSISSIPPI, A

MUTUAL INSURANCE COMPANY

10  
11 Dated: March 13, 2020

COOPER & SCULLY, P.C.

12  
13 By: /s/ Alan Law

Derek Davis

14 Alan Law

*Attorneys for Defendants* SCOTT AND

15 WHITE HEALTH PLAN; SCOTT AND

16 WHITE HEALTHCARE; *and* SCOTT AND

WHITE CARE PLANS

17  
18 Dated: March 13, 2020

HUNTON ANDREWS KURTH LLP

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20 By: /s/ Bridget B. Vick

Ann Marie Mortimer

21 Jason J. Kim

22 John B. Shely

Bridget B. Vick

*Attorneys for Defendants* BLUECROSS

23 BLUESHIELD OF TENNESSEE, INC.

1 Dated: March 13, 2020

GORDON REES SCULLY MANSUKHANI,  
LLP

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3 By: /s/ Ronald K. Alberts

4 Ronald K. Alberts

5 Sylvia Joo

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HEALTH PLAN OF CALIFORNIA, INC.;  
7 HUMANA BEHAVIORAL HEALTH INC.;  
HUMANA INC.; HUMANA INSURANCE  
8 COMPANY; HUMANA MEDICAL PLAN;  
HUMANA EMPLOYERS HEALTH PLAN  
9 OF GEORGIA, INC.; HUMANA HEALTH  
BENEFIT PLAN OF LOUISIANA, INC.;  
10 HUMANA HEALTH PLAN OF TEXAS,  
INC.; *and* HUMANA HEALTH PLAN,  
INC.

11  
12 Dated: March 13, 2020

LEWIS BRISBOIS BISGAARD & SMITH LLP

13  
14 By: /s/ Elise D. Klein

15 Elise D. Klein

16 *Attorneys for Defendants* COMPSYCH  
CORPORATION; MEDICA  
17 CORPORATION; VALUEOPTIONS  
FEDERAL SERVICES, INC.;  
VALUEOPTIONS OF CALIFORNIA,  
18 INC.; BEACON HEALTH STRATEGIES,  
LLC; *and* BEACON HEALTH OPTIONS,  
INC.

19  
20 Dated: March 13, 2020

CALL & JENSEN  
A Professional Corporation

21  
22  
23 By: /s/ Nilab Rahyar Tolton

24 Chris C. Scheithauer

Nilab Rahyar Tolton

25 *Attorneys for Defendant* UNITED CLAIM  
SOLUTIONS, LLC DBA VALENZ  
26 CLAIM  
27  
28



1 Dated: March 13, 2020

FOX ROTHSCHILD LLP

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3 By: /s/ Benjamin H. McCoy

4 John Shaeffer

Benjamin H. McCoy

*Attorneys for Defendants* AETNA

HEALTH AND LIFE INSURANCE

COMPANY; MERITAIN HEALTH, INC.;

COVENTRY HEALTH CARE, INC.;

MHNET SPECIALTY SERVICES, LLC;

and FIRST HEALTH GROUP  
CORPORATION

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10 Dated: March 13, 2020

REED SMITH LLP

11  
12 By: /s/ Farah Tabibkhoei

13 Amir Shlesinger

Farah Tabibkhoei

Jonathan D. Gershon

*Attorneys for Defendant* HEALTH CARE

SERVICE CORPORATION, A MUTUAL

LEGAL RESERVE COMPANY, DOING

BUSINESS IN OKLAHOMA AS BLUE

CROSS AND BLUE SHIELD OF

OKLAHOMA; BLUE CROSS AND BLUE

SHIELD OF KANSAS CITY; MOLINA

HEALTHCARE, INC.; and MOLINA

HEALTHCARE OF CALIFORNIA, INC.

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20 Dated: March 13, 2020

HINSHAW & CULBERTSON LLP

21  
22 By: /s/ Robert C. Bohner

23 Robert C. Bohner

*Attorneys for Defendant* LIFESHIELD

NATIONAL INSURANCE COMPANY

1 Dated: March 13, 2020

DOLL AMIR ELEY LLP

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3 By: /s/ Krista Hernandez

Krista Hernandez

4 *Attorneys for Defendant* AMERIHEALTH  
INSURANCE COMPANY OF NEW  
5 JERSEY DBA AMERIHEALTH NEW  
JERSEY, A NEW JERSEY  
6 CORPORATION  
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25 \* Pursuant to Local Rule 5-4.3.4.(a)(2)(i), the filing party attests that all other  
26 signatories listed above on whose behalf this filing is submitted concur in the  
27 filing's content and have authorized the filing.  
28

**[PROPOSED] ORDER**

Good cause appearing, the Court approves the foregoing stipulation of the parties, and orders as follows:

1. The Court hereby takes the Motion under submission.
2. Defendants and ABC are ordered to provide the Court with any requested supplemental briefing related to the Motion.
3. Defendants and ABC are ordered to participate in a telephonic conference with the Special Master to discuss outstanding discovery issues whenever convenient for the Special Master.

**IT IS SO ORDERED.**

Dated: \_\_\_\_\_

\_\_\_\_\_  
David O. Carter  
United States District Court Judge